

**CALIFORNIA STUDENT AID COMMISSION  
P.O. Box 419029  
Rancho Cordova, CA 95741-9029**

**NOTICE OF PROPOSED RULEMAKING  
TITLE 5, CA CODE OF REGULATIONS  
AMEND SECTIONS 30910, 30911, 30912, 30913,  
30914 and 30916  
REGARDING STATE NURSING ASSUMPTION PROGRAM OF LOANS FOR EDUCATION  
FOR NURSING FACULTY (SNAPLE NF)**

**NATURE OF PROCEEDING**

Notice is given that the California Student Aid Commission (CSAC) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal is currently not scheduled. However, any interested person or duly authorized representative may request, no later than 15 days before the close of the written comment period that a public hearing be scheduled.

Following the public hearing, if one is requested, or following the written comment period, if no public hearing is requested, the California Student Aid Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days before its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the

California Student Aid Commission  
Attention: Gloria Falcon, Manager  
P. O. Box 419029  
Rancho Cordova, CA 95741-9029

Comments may also be submitted by facsimile (FAX) at (916) 526-8002 or by e-mail to [snapple@csac.ca.gov](mailto:snapple@csac.ca.gov). Comments must be submitted before 5:00 p.m. on March 10, 2008.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by section 70106 of the Education Code, and to implement, interpret, or make specific sections 70100-70110 of the Education Code, the California Student Aid Commission is considering changes to Division 4 of Title 5 of the California Code of Regulations as follows: amend sections 30910, 30911, 30912, 30913, 30914, and 30916 to implement, interpret, and make specific sections 70100-70110 of the Education Code

establishing the State Nursing Assumption Program of Loans for Education for Nursing Faculty (SNAPLE NF).

## **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

In 2007 the Legislature passed and the Governor signed SB 139, a bill that amended sections 70101 and 70106 of the Education Code. The changes in law enacted by SB 139 will take effect on January 1, 2008. These amended statutes allow persons who have earned a baccalaureate or graduate level degree in nursing or a field related to nursing to enter into an agreement for loan assumption. Prior to these amendments the statute required that applicants be enrolled or admitted on at least a half-time basis.

The California Student Aid Commission (Commission) believes that SB 139 was intended to provide clean up language for applicants who may have been enrolled within the award year they applied but may have completed their educational requirements at the time of application. The Commission further believes that the requirement for a participant to obtain employment within twelve months of receiving a degree, pursuant to Education Code section (c) (6) supports the requirement that the applicant be enrolled the award year that they apply for the program. Persons who graduate from college several years ago would have had to find employment within twelve months of receiving their degree. The Commission does not believe this program is designed to be retention tool since there is a growing need for new faculty members. In addition, the program requires participants to meet all of the eligibility criteria included in section 70101 of the Education Code prior to selection into the program. Subsection (a) (3) of 70101 requires that the participant be making satisfactory academic progress while subsection (c) (3) of 70101 requires that a participant be enrolled at least half-time. Therefore, the Commission will require applicants to be enrolled at least half time and maintain satisfactory academic progress during the academic year they apply to satisfy both requirements. The Commission proposes to amend Title 5, Division 4, Chapter 1, of the California Code of Regulations, sections 30910, 30911, 30912, 30913, and 30914 to implement provisions added January 1, 2008.

Pursuant to the authority provided in Education Code, section 70106 the Commission adopted California Code of Regulations Title VI, Division 4, Chapter 1 section 30910 et seq to implement, interpret, and make specific the requirements established in Education Code sections 70100-70110. The content of the SNAPLE NF application, nomination, and loan assumption agreement is included in sections 30911, 30912, 30914 of the California Code of Regulations. The Commission has identified several areas that require additional information and certifications from applicants and nominating institutions as well as a necessity to establish an application deadline for the program. The Commission proposes to amend sections 30911, 30912, 30913, 30914, and 30916.

The proposed amendments would implement, interpret, and make specific the elements of SNAPLE NF. Specifically, the proposal would:

1. Define terms used in the regulations;

2. Establish a deadline for application submission;
3. Amend the requirements for applications to participate in the program;
4. Amend the requirements for the nominations of students for the program by accredited colleges or universities that decide to participate in the program;
5. Amend the process by which CSAC will select program participants from among nominated students;
6. Amend the requirements for loan assumption agreements between the selected program participants and CSAC;
7. Amend the requirements under which CSAC may make loan payments on behalf of the program participants;
8. Amend the consequences of a program participants' failure to complete the obligation to teach nursing.

There are no comparable provisions of federal law related to this proposal.

### **LOCAL MANDATE**

This proposal does not impose a mandate on local agencies or school districts.

### **FISCAL IMPACT ESTIMATES**

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

### **COSTS OR SAVINGS TO STATE AGENCIES**

None

### **EFFECT ON HOUSING COSTS**

None

### **BUSINESS IMPACT/SMALL BUSINESSES**

CSAC has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal would impose no costs upon business. The proposal does not affect small businesses as defined by section 11342.610 because the regulations apply to individual students and nurses who would be seeking to receive loan assumption agreements. Individual students and nurses are not small businesses within the meaning of Government Code 11342.610. Further, this proposal would affect a private sector or small business only if a private sector college or university

voluntarily chooses to nominate its students to participate in SNAPLE NF, and thus, chooses voluntarily to comply with the requirements for nominations.

### **ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES**

CSAC has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

### **COST IMPACT ON REPRESENTATIVE PERSON OR BUSINESS**

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **BUSINESS REPORT**

This regulatory proposal does not require a report.

### **ALTERNATIVES**

CSAC must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the agency's attention, would be more effective in carrying out the purpose for which the adoption of this regulation is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action.

### **CONTACT PERSON**

Inquiries concerning the proposed adoption of this regulation and written comment may be directed to:

Clarita Cortez, Financial Aid Analyst  
California Student Aid Commission  
P. O. Box 419029  
Rancho Cordova, CA 95741-9029

(916) 526-7953

or

Gloria Falcon, Manager  
California Student Aid Commission  
P. O. Box 419029  
Rancho Cordova, CA 95741-9029

(916) 526-7508

## **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations and of the initial statement of reasons and all the information upon which the proposal is based may be obtained upon request from CSAC, P. O. Box 419029, Rancho Cordova, CA 95741-9029. These documents may also be viewed and downloaded from the CSAC Website at [www.csac.ca.gov](http://www.csac.ca.gov).

## **INITIAL STATEMENT OF REASONS AND INFORMATION**

CSAC has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based.

## **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named above.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named above.

## **WEBSITE ACCESS**

Materials regarding this proposal can be found at [www.csac.ca.gov](http://www.csac.ca.gov).